IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

THURSDAY, THE 15TH FEBRUARY 2007 / 26TH MAGHA 1928

WP(C).No. 27566 of 2005(F)

PETITIONER:

DR.N. PURUSHOTHAMAN NAIR,
ASSOCIATE PROFESSOR & HEAD,
COCONUT RESEARCH STATION, BALARAMAPURAM,
THIRUVANANTHAPURAM.

BY ADV. SRI.P.V.JAYACHANDRAN

RESPONDENTS:

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1. THE STATE OF KERALA,
REPRESENTED BY ITS ADDITIONAL CHIEF SECRETARY,
SECRETARIAT, THIRUVANANTHAPURAM.

2. THE KERALA AGRICULTURAL UNIVERSITY,
REPRESENTED BY ITS REGISTRAR, KERALA AGRICULTURAL
UNIVERSITY POST, VELLANIKKARA, THRISSUR.

BY ADV. SRI.RENJITH THAMPAN,SC,KERALA AGRL.UTY
GOVT. PLEADER SRI.MANOJ

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 15/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT. P1: COPY OF G.O.(P)NO.179/90/AD DATED 25.6.1990.

EXT. P2: COPY OF CIRCULAR NO.GA/P4/49671/91 DATED 8.3.94.

EXT. P3: COPY OF LETTER DATED 4.12.2001.

EXT. P4: COPY OF THE LETTER DATED 5.2.2001.

EXT. P5: COPY OF THE ORDER GO(MS) NO.198/2000/AD DATED 9.6.2000.

EXT. P6: COPY OF LETTER DATED 10.1.05.

EXT. P7: COPY OF PROCEEDINGS NO.GA C2/23346/99(431) DATED 13.4.2005.

EXT. P8: COPY OF REPLY DATED 15.6.2005.

EXT. P9: COPY OF REVISED PAY SLIP.

EXT. P10: COPY OF PROCEEDINGS NO.GA/C2/23346/99(431) DATED 2.3.2006.

EXT. P11: COPY OF REPRESENTATION DATED 2.8.99 SUBMITTED BEFORE THE ANOMALY REDRESSAL COMMITTEE

/TRUE COPY/

P.A. TO JUDGE

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KURIAN JOSEPH, J.

W.P.(C) No.27566 of 2005

Dated 15th February, 2007.

J U D G M E N T

The writ petition is filed mainly with the following prayers :-

> (i) "Issue a writ of certiorari or appropriate writ directions or orders calling for the records leading upto Ext.P9 and quash paragraph 4 of Ext.P5, quash paragraphs 1,2 and 3 of Ext.P6, quash Ext.P7 notice, Ext.P9 revised pay slip and also quash all further proceedings pursuant to Exts.P5, P6, P7 and P8.
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> (ii) Direct the 2nd respondent to reckon the service from 23.10.1969 to 28.7.79 in the post of Deputy Agricultural Officer under the Tamil Nadu Government for the purpose of career advancement promotion in 1986 UGC and to promote the petitioner to the post of Professor with effect from 22.7.95 and to disburse all monetary benefits."

It is the contention of the petitioner that in view of Ext.P2 read with Ext.P3, his service as certified by Ext.P3 is liable to be counted for the purpose of promotion to the post of Professor and for induction to 1986 UGC scheme. Learned Standing Counsel submits that the University is yet to take a decision in the matter, though the request was rejected as per Ext.P10 by the Registrar. Since the service as certified in Ext.P3 in the light of Ext.P2 is to be counted, it is only appropriate that the matter is reconsidered by the University. I quash Ext.P10. There will be a direction to

the second respondent to consider the grievance of the petitioner, with notice to the petitioner and take appropriate action regarding the counting of the service as certified in Ext.P3 for the purposes referred to above. The needful shall be done and the benefits, in case the petitioner is found eligible shall be disbursed to him, within a period of two months from the date of production of a copy of the judgment.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J

W.P.(C)No. of 2002

J U D G M E N T

Dated 15th February, 2007.